

FILED

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LOONA K. CHINEN
CLERK
THIRD CIRCUIT COURT
SEP 14 2006

Tel No.: 961-0466

Attorneys for State of Hawai'i

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

STATE OF HAWAI'I	)	CR. NO. 05-1-0402
)	
vs.	)	PETITION FOR WRIT OF
	)	HABEAS CORPUS AD
	)	PROSEQUENDUM; ORDER
MICHAEL MIYASATO,	)	DIRECTING ISSUANCE OF
	)	WRIT OF HABEAS CORPUS
	)	AD PROSEQUENDUM; WRIT
Defendant.	)	OF HABEAS CORPUS AD
)	PROSEQUENDUM
_____)	

PETITION FOR WRIT OF HABEAS CORPUS
AD PROSEQUENDUM

TO THE HONORABLE GREG K. NAKAMURA, JUDGE OF THE
ABOVE-ENTITLED COURT:

Comes now the STATE OF HAWAI'I, by JASON M. SKIER, Deputy
Prosecuting Attorney of the County and State of Hawai'i, and respectfully alleges
as follows:

i hereby certify that this is a full, true and correct
copy of the original on file in this office.
Loona K. Chinen
Clerk, Third Circuit Court, State of Hawaii

EXHIBIT B

1. That an Indictment for Promoting a Dangerous Drug in the Third Degree and Prohibited Acts Related to Drug Paraphernalia against MICHAEL MIYASATO was filed on October 13, 2005, in the Circuit Court of the Third Circuit, Hilo, Hawai'i;

2. That Defendant has a sentencing hearing scheduled for Wednesday, October 4, 2006, at 8:30 a.m. before the Honorable Greg K. Nakamura, in Courtroom No. 1, in the Circuit Court of the Third Circuit.

3. That said Defendant is currently in the custody of the Federal Detention Center, Honolulu, Hawai'i; and

WHEREFORE, Applicant prays that the Clerk of this Court be instructed to issue a Writ of Habeas Corpus ad Prosequendum to Warden, John T. Rathman, Federal Detention Center, or his designee, forthwith to make available to State officials on October 4, 2006, the body of MICHAEL MIYASATO for the purpose of sentencing; and

STATE OF HAWAII OFFICIALS, upon taking custody of the same MICHAEL MIYASATO, to:

1. bring the same MICHAEL MIYASATO before the Presiding Judge of the Circuit Court of the Third Circuit as scheduled on October 4, 2006 at 8:30 a.m., until completed; and

2. after completion of said hearing, transport the Defendant to the Hawai'i County Police Department, 349 Kapiolani St., Hilo, Hawaii for processing of identification purposes, and thereafter

2. return the said MICHAEL MIYASATO to the Federal Detention Center, Honolulu, Hawai'i, into the custody of the Warden, John T. Rathman, Federal Detention Center, or his designee, as soon as practicable and immediately thereafter.

Dated: Hilo, Hawai'i, SEP 05 2006.

STATE OF HAWAII

By 

JASON M. SKIER
Deputy Prosecuting Attorney

ORDER DIRECTING ISSUANCE OF WRIT OF HABEAS
CORPUS AD PROSEQUENDUM

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that the Clerk of this Court be and hereby is instructed to issue a Writ of Habeas Corpus ad Prosequendum prayed for in the foregoing Petition.

Dated: Hilo, Hawai'i, SEP 13 2006.

GLENN S. HARA (SEAL)

Judge of the above-entitled Court



GREG K. NAKAMURA

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

STATE OF HAWAII	)	CR. NO. 05-1-0402
)	
vs.	)	WRIT OF HABEAS CORPUS
	)	AD PROSEQUENDUM
MICHAEL MIYASATO,)	
)	
Defendant.)	
_____)	

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO: The Honorable GLENN S. HARA, Judge of the Circuit Court of the Third Circuit, State of Hawai'i:

WARDEN, John T. Rathman, Federal Detention Center, or his designee

GREETINGS:

We command that you, WARDEN, John T. Rathman, Federal Detention Center, or your designee, produce the body of MICHAEL MIYASATO, who is being detained as a federal prisoner under your custody of said Defendant, to:

1. bring the said Defendant before the Presiding Judge of the Circuit Court of the Third Circuit on October 4, 2006, at 8:30 a.m., or at any time or times deemed necessary in the further proceedings of Criminal No. 05-1-0402;
2. transport the Defendant MICHAEL MIYASATO to the Hawai'i County Police Department at 349 Kapiolani Street, Hilo, Hawai'i for processing of identification purposes, and;
3. thereafter return the said MICHAEL MIYASATO to the custody of the Warden, John T. Rathman, Federal Detention Center, or his designee, as soon as practicable and immediately thereafter.

WITNESS the Honorable GLENN S. HARA, Judge of the Circuit Court of the Third Circuit at Hilo, Hawai'i, and the seal of said Court this 13th day of September, 2006.

DIANE M. KUNIMOTO (SEAL)

Clerk, Circuit Court, Third Circuit
State of Hawai'i

GREG K. NAKAMURA

Judge of the Circuit Court
Third Circuit, State of Hawai'i

